

## REMARKS

### **I. Status of the Claims**

At the time of the Action, Claims 1-39 were pending. Claim 4 has been canceled above, its subject matter having been incorporated into Claim 40. Claim 15 has been canceled above, its subject matter having been incorporated into Claim 1. Claim 23 has been canceled above, its subject matter having been incorporated into Claim 20. Claim 38 has been canceled above, its subject matter having been incorporated into Claim 41. Claim 39 has been canceled above, its subject matter having been incorporated into Claim 42. Claims 40-43 are new. Claims 1-3, 5-14, 16-22, 24 and 26-37 stand rejected under either Section 102(b) or Section 103(a). These rejections are addressed below.

### **II. Rejection of Claims 1 and 20 Based on U.S. Patent No. 2,629,435 to Dadswell (Dadswell) Alone**

The Action states that Claims 1, 2, 5-9, 12-14, 16-22, 24, 28, 30 and 39 are anticipated under Section 102(b) based on Dadswell. The Action also states that Claims 3, 10, 11, 26, 27, 29 and 31 are unpatentable under Section 103(a) based on Dadswell. More specifically, the Action states that Dadswell discloses a connector in Figure 5 comprising:

a clip piece (30, 31) having a base (31) capable of attaching to a panel via a fastener/aperture and a snap clip/appendage (30) with a pair of arms which include first, second and third segments (see Attachment A) and a post piece (32) configured to attach to an object via an aperture in its base panel/fastener and including a diamond shaped post received within an opening of the snap clip. The base and each first segment (upper angled portion of 30) define an obtuse angle and the angle between the first and second segments is at least 90 degrees or greater. Note: the front panel and object are not being positively claimed.

The Action at pages 2-3. Based on this reading of Dadswell, the Action concludes that Dadswell anticipates independent Claims 1 and 20.

In response, Applicant respectfully directs the Examiner's attention to amended Claim 1, which recites canceled Claim 15 in independent form. Inasmuch as the Action deemed

Claim 15 allowable if rewritten in independent form, Applicant respectfully submits that Claim 1 and all claims dependent therefrom are not anticipated under Section 102(b). Therefore, Applicant respectfully requests that this rejection be withdrawn. In addition, Applicant respectfully submits that Claim 1 and all claims dependent therefrom also recite patentable subject matter under Section 103(a).

Applicant also notes amended Claim 20, which recites a second snap clip projecting from the base and configured to receive a second post having a non-circular cross-section. A second snap clip is clearly not present in Dadswell. Because at least this element of Claim 20 is absent from Dadswell, Applicant submits that Dadswell cannot anticipate Claim 20 or any claims dependent therefrom under Section 102(b). Thus, Applicant respectfully requests that this rejection be withdrawn.

Similarly, Applicant notes that it would not have been obvious to the ordinarily skilled artisan to include a second snap clip projecting from the base and configured to receive a second post having a non-circular cross-section. A second snap clip per clip piece can enable the alignment of two or more snap clips with their respective posts in a single alignment step, thus typically reducing the overall number of alignments which need to be performed. Furthermore, simplification of the alignment process can result in labor savings in the installation of false front panels, and may also facilitate providing false front panels that are properly installed so as to provide both a snug fit and so as to be readily releasable, if desired. Dadswell suggests none of these advantages; as the path of the garage door of Dadswell is predefined, alignment of the door with the "post piece" of Dadswell is not a concern. Thus, Applicant respectfully submits that Claim 20 and all claims dependent therefrom also contain patentable subject matter under Section 103(a).

### **III. Rejection of Claim 32 Based on U.S. Patent No. 6,419,330 to Lechman (Lechman) Alone**

The Action states that Claims 20-22, 24 and 32-34 are anticipated under Section 102(b) based on Lechman. The Action also states that Claims 26-31 and 37 are unpatentable under Section 103(a) based on Lechman. The Action characterizes Lechman as disclosing:

a cabinet (Figs. 1 and 2) having a frame (10) with a front face

opening defined by walls (30, 12, 32) and covered by a false front panel (38). The panel is attached to the walls via connectors (60) that include a post piece (76, 78) with a non-circular post (78) and a clip piece (66, 72) with a base (66) and a "snap" clip (72) that receives the post.

The Action at page 3. Based on this characterization, the Action concludes that Lechman anticipates independent Claim 32.

In response, Applicant notes that the Lechman structure identified as comprising a "snap clip" (72) does not meet the definition of "snap clip" set forth in the specification. Applicant respectfully directs the Examiner's attention to the specification, which recites:

As used herein, the term "snap clip" refers to a spring clip that has one or more arms that are designed to deflect when the snap clip is pushed against a post with which the snap clip mates and which spring back towards their original positions after the post is received sufficiently within the interior portion of the snap clip.

The specification page 8, lines 16-20.

Conversely, Lechman states that:

Engaging portion (72) engages tab portion (78) so that it rests thereon in a hook-like manner as shown in Figs. 5-7.

Lechman at page 5, lines 37-39. Because the structure identified in Lechman does not deflect and spring back but rather engages in a "hook-like manner" to the tab portion, the structure does not meet the definition of "snap clip" set forth in the specification. Therefore, the "snap clip" element is clearly absent from Lechman. Inasmuch as at least this element of Claim 32 is absent from Lechman, Applicant respectfully submits that Lechman cannot anticipate Claim 32 or any claims dependent therefrom under Section 102(b). Thus, Applicant respectfully requests that this rejection be withdrawn.

Similarly, Applicant notes that it would not have been obvious to the ordinarily skilled artisan to modify the Lechman structure to meet the definition of "snap clip" set forth in the specification. Therefore, Applicant respectfully submits that Claim 32 and all claims

dependent therefrom also contain patentable subject matter under Section 103(a).

**IV. Rejection of Original Claim 23 Based on U.S. Patent No. 6,419,330 to Lechman (Lechman) in view of U.S. Patent No. 5,176,435 to Pipkens (Pipkens)**

The Action states that original Claim 23 (the subject matter of which has been incorporated into Claim 20) is unpatentable under Section 103(a) based on Lechman in view of Pipkens. The Action concedes that Lechman fails to teach plural clip and post pieces. However, the Action states that Pipkens discloses the use of plural clips on a connector base. Based on this disclosure, the Action concludes that it would have been obvious to the ordinarily skilled artisan to modify the connectors of Lechman with plural clips on each base and plural mating posts on the respective bases.

In response, Applicant submits that the rejection based on Lechman in view of Pipkens is improper for the same reasons set forth above in the discussion of Lechman with respect to Claim 32. More specifically, the Lechman structure does not meet the definition of "snap clip" set forth in the specification because the Lechman structure does not deflect and spring back but rather engages in a "hook-like manner" to the tab portion. The Pipkens hooks shown in Figure 4 thereof are similarly configured and also fail to meet the definition of "snap clip" set forth in the specification.

Therefore, Applicant respectfully submits that it would not have been obvious to the ordinarily skilled artisan to conceive the subject matter recited in amended Claim 20. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

**V. Rejection of Claim 39 Under Section 112**

The Action states that Claim 39 is indefinite under Section 112, second paragraph, due to the term "the appendage" lacking antecedent basis. Claim 39 has been canceled, thereby obviating this rejection.

**VI. New Claim 43**

Applicant notes that new Claim 43 recites subject matter supported, for example, in Figures 8 and 9 of the original application. Claim 43 recites that the post extends along an axis and that the clip piece is attached to the post piece via movement in a direction

perpendicular to the axis of the post. When the clip piece is attached to the post piece via movement in this direction, a greater surface area of the post piece can attach to the frame than when the clip piece is attached to the post via movement in a direction parallel to the axis of the post. This greater surface area of attachment may be advantageous as it can prevent failure of the attachment of the post piece to the frame. This feature of Claim 43 is clearly absent from Dadswell, which describes the "projection" as:

positioned on the floor as to extend into the cut-out when the door is closed so that the spring fingers (30) may engage the sides thereof to hold the door down in closed position.

Dadswell at page 2, lines 37-41. Thus, in Dadswell, the "projection" is attached to the floor and extends therefrom along an axis that is parallel to the direction that the "spring fingers" move to engage the sides of the "projection." Therefore, Applicant respectfully submits that Dadswell cannot anticipate Claim 43 under Section 102(b).

Moreover, Applicant respectfully submits that it would not have been obvious to the ordinarily skilled artisan to conceive the subject matter of Claim 43. Therefore, Applicant respectfully submits that Claim 43 contains patentable subject matter under Section 103(a).

## VII. Conclusion

Inasmuch as all of the outstanding issues raised in the Action have been addressed, Applicant respectfully submits that the application is in condition for allowance, and request that it be passed to allowance and issue.

Respectfully submitted,



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